

NIAD 213.1 (10103726)

REMARKS

Claims 1, 6 and 8 have been amended. Claims 4, 5 and 12 have been cancelled without prejudice and claim 11 was previously withdrawn from consideration. Thus, claims 1-3, 6, 8-10 are pending. Applicants now believe this application is in condition for allowance.

The Examiner rejected claims 1-6, and 8-10 under 35 U.S.C § 112, first paragraph, as containing subject matter which was not described in the specification. Specifically, the Examiner argues there is no support in the specification for the phrase "wherein said substance is not aminoguanidine," because the disclosed screening method was open to the screening of all substances. As such, the Examiner maintains that the exclusion of aminoguanidine as a substance presents new matter.

The Examiner rejected claims 5 and 7 under 35 U.S.C § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner stated that substance (i) and aminoguanidine in claim 5 could be the same compound, thereby leading to confusion concerning the method. The Examiner also argued that the relationship between the two measurements in claims 5 and 7 was unclear. The Examiner indicated that careful reference to the scheme in Figures 2 and 10 and incorporation of such elements might advance the application to allowance.

Based on these comments and a telephone interview between the Examiner and the undersigned on August 19, 2003, claim 1 has been amended to recite the screening method disclosed in Figures 2 and 10. The negative proviso "wherein said substance is not aminoguanidine" has been removed, thereby eliminating the new matter rejection under 35 U.S.C § 112, first paragraph. Applicants respectfully request withdrawal of this rejection.

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Claim 1, as amended, also clarifies the relationships between the measurements and how these measurements are used to determine whether a substance inhibits glycation. Applicants believe that the rejection under 35 U.S.C § 112, second paragraph has been overcome and request withdrawal of this rejection.

All rejections have been addressed and overcome. Allowance of this application is believed proper and is urged.

Respectfully submitted,

FULBRIGHT & JAWORSKI, L.L.P.



Norman D. Hanson, Esq.
Registration No. 30,946

666 Fifth Avenue
New York, New York 10103-3198
Telephone: 212-318-3168
Telecopier: 212-318-3400